

RECEIVED^{P.1/6}
CENTRAL FAX CENTER
MAR 21 2007

Hutchison Law Group PLLC

Correspondence Address:
P.O. Box 31744
Raleigh, North Carolina 27612

Street Address:
5410 Trinity Road, Suite 400
Raleigh, North Carolina 27607

Telephone: (919) 829-9600
Facsimile: (919) 829-4332

Fax

Date: March 21, 2007

To: USPTO

From: Thomas E. Holsten

Attention:

Fax: +1.919.829.4332

Direct Phone: +1.919.829.4338

Fax: 571 273 8300

Our Ref.: BASF.10027

Your Ref.: 10/522,096

No. Pages: 6 (incl. this page)

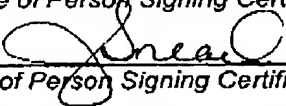
Comments:

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office facsimile number 571 273 8300 on this the 21st day of March 2007.

Documents enclosed:

Transmittal Letter (in duplicate)	2 pages
Response to Restriction Requirement	3 pages

Jennie Snead
(Typed Name of Person Signing Certificate)


(Signature of Person Signing Certificate)

Date of Signing: March 21, 2007

MAR 21 2007

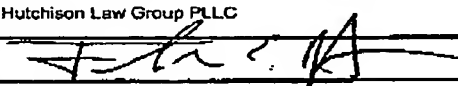
PTO/SB/21 (09-08)

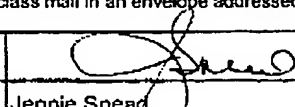
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/522,098
	Filing Date	January 24, 2005
	First Named Inventor	Thomas EHRHARDT
	Art Unit	1852
	Examiner Name	Tekchand Saldha
	Attorney Docket Number	BASF.10027
Total Number of Pages In This Submission	5	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
	The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-3218. This paper is submitted in duplicate.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Hutchison Law Group PLLC		
Signature			
Printed name	Thomas E. Holsten		
Date	March 21, 2007	Reg. No.	46,098

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jennie Sneed	Date	March 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

MAR 21 2007

PTO/SB/21 (09-06)

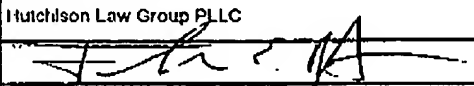
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.


TRANSMITTAL FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission 5	Application Number	10/522,096
	Filing Date	January 24, 2005
	First Named Inventor	Thomas EHRHARDT
	Art Unit	1652
	Examiner Name	Tokchand Soldha
	Attorney Docket Number	BASF.10027

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-3218. This paper is submitted in duplicate.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Hutchison Law Group PLLC		
Signature			
Printed name	Thomas E. Holsten		
Date	March 21, 2007	Reg. No.	46,098

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jennie Sneed	Date	March 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 21 2007

Patent
Attorney Docket No. BASF.10027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thomas EHRHARDT et al.	Mail Stop: Amendment
Application No.: 10/522,096	Group Art Unit: 1652
Filing or 371(c) Date: January 24, 2005	Examiner: Tekchand Saidha
Title: Sucrose-6-Phosphate Phosphatase as Target for Herbicides	Confirmation No.: 9245

**RESPONSE TO
RESTRICTION REQUIREMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Restriction Requirement mailed February 21, 2007, Applicants elect Group IV, claims 9-13, 15, 17, and 20 with traverse, and SEQ ID NO: 1 for prosecution in the present application.

The Restriction Requirement required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I, claim(s) 2 and 5-7, drawn to plant nucleic acid [SEQ ID NO: 1 or 3 (Nicotiana tabacum) or SEQ ID NO: 5 (Solanum tuberosum)] encoding sucrose-6-phosphate phosphatase;

Group II, claim(s) 3, drawn to a polypeptide having the biological activity of sucrose-6-phosphate phosphatase;

Group III, claim(s) 4, drawn to a method of detecting functional analogs of SEQ ID NO: 1 or 3 or 5;

Group IV, claim(s) 9-13, 15, 17 and 20, drawn to a method of identifying herbicidally active substances using the polypeptide of SEQ ID NO: 2 or 4 or 6 (or the encoding nucleic acid sequence of SEQ ID NO: 1 or 3 or 5) and compound identified;

Group V, claim(s) 14 and 18, drawn to method for identifying substances with a growth-regulatory action and the compound identified;